

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SONY CORPORATION,

Plaintiff and Counter
Defendant,

v.

MIZCO INTERNATIONAL INC.,

Defendant and
Counterclaimant.

Civil Action No.: 13-CV-649 (CM) (SN)

ECF CASE

SONY'S ANSWER TO COUNTERCLAIMS OF MIZCO INTERNATIONAL, INC.

For its Answer to Counterclaims of Mizco International, Inc ("Mizco" or "Counterclaimant"), Counter Defendant Sony Corporation ("Sony" or "Counter Defendant") responds to each of the relevant numbered paragraphs of Counterclaimant's Answer with Affirmative Defenses and Counterclaims, and states as follows:

FIRST COUNTERCLAIM

(Declaratory Judgment of Invalidity of the '894 Patent)

61. Paragraph 61 of Mizco's First Counterclaim purportedly "repeats and realleges paragraphs 1 through 60 of its answer"; however, paragraphs 1-42 of Mizco's answer are Mizco's responses to allegations in the Complaint, and paragraphs 43-60 are purportedly Mizco's affirmative defenses; thus none of paragraphs 1-60 requires a response. To the extent any of paragraphs 43-60 requires a response, Sony denies all allegations contained in these paragraphs.

62. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. §§ 2201 and 2202.

63. Denied.

64. Denied.

65. Denied.

66. Denied.

67. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the validity of the '894 Patent, and denies all remaining allegations in Paragraph 67.

68. Denied.

69. To the extent admission or denial is required, denied.

SECOND COUNTERCLAIM

(Declaratory Judgment of Invalidity of the '777 Patent)

70. In response to Paragraph 70, Sony incorporates by reference its responses to paragraphs 61 through 69.

71. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. § § 2201 and 2202.

72. Denied.

73. Denied.

74. Denied.

75. Denied.

76. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the validity of the '777 Patent, and denies all remaining allegations in Paragraph 76.

77. Denied.

78. To the extent admission or denial is required, denied.

THIRD COUNTERCLAIM

(Declaratory Judgment of Invalidity of the '553 Patent)

79. In response to Paragraph 79, Sony incorporates by reference its responses to paragraphs 61 through 78.

80. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. § § 2201 and 2202.

81. Denied.

82. Denied.

83. Denied.

84. Denied.

85. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the validity of the '553 Patent, and denies all remaining allegations of Paragraph 85.

86. Denied.

87. To the extent admission or denial is required, denied.

FOURTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of the '894 Patent)

88. In response to Paragraph 88, Sony incorporates by reference its responses to paragraphs 61 through 87.

89. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. § § 2201 and 2202.

90. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the infringement of the '894 Patent, and denies all remaining allegations contained in paragraph 90.

91. Denied.

92. Denied.

93. Denied.

FIFTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of the '777 Patent)

94. In response to Paragraph 94, Sony incorporates by reference its responses to

paragraphs 61 through 93.

95. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. § § 2201 and 2202.

96. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the infringement of the '777 Patent, and denies all remaining allegations contained in paragraph 96.

97. Denied.

98. Denied.

99. Denied.

SIXTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of the '553 Patent)

100. In response to Paragraph 100, Sony incorporates by reference its responses to paragraphs 61 through 99.

101. Sony admits that the counterclaim purports to seek a declaratory judgment pursuant to 28 U.S.C. § § 2201 and 2202.

102. Sony admits that an actual case and controversy exists between Sony and Mizco concerning the infringement of the '553 Patent, and denies all remaining allegations contained in paragraph 102.

103. Denied.

104. Denied.

105. Denied.

PRAYER FOR RELIEF

WHEREFORE, Sony respectfully requests that the Court enter judgment:

(a) Dismissing Mizco's Counterclaims in their entirety, with prejudice;

- (b) That Sony be awarded the relief requested in its Complaint; and
- (c) That Sony be awarded such other and further relief as this Court deems just and proper.

Dated: May 28, 2013

Respectfully submitted,

KENYON & KENYON LLP

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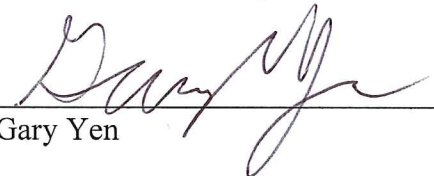
CERTIFICATE OF SERVICE

I, Gary Yen, hereby certify that on this 28th day of May, 2013, a copy of the foregoing document was electronically filed with the Clerk of Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on this 28th Day of May, 2013, a copy of the foregoing document was served via electronic mail to:

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Gary Yen